

REMARKS

Claim 1 has been amended to correct a typographical error noted by the Examiner. Claim 18 has been amended based on the disclosure at page 8, lines 5-6 in the present specification to resolve an objection raised by the Examiner.

Since the claims have been amended to resolve objections raised by the Examiner, entry of the amendment is respectfully requested.

Objection to Claims 1 and 18

On page 2 of the Office Action, the Examiner has objected to claim 1 because the first use of the word "product" in line 4 should be --produce--. Also, the Examiner has objected to claim 18 for failing to further limit the subject matter of a previous claim, because claim 1 recites the polymer is cellulose triacetate while claim 18, which depends from claim 1, recites a generic cellulose acylate. The Examiner requires Applicant to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Applicant has amended claims 1 and 18 to resolve the issues raised by the Examiner. Specifically, Applicant has amended claim 1 to correct the typographical error as indicated by the Examiner. Also, Applicant has amended claim 18 to place it in proper dependent form, so that it further limits claim 1.

Thus, Applicant submits that the objection to claims 1 and 18 has been overcome, and withdrawal of the objection is respectfully requested.

Obviousness Rejection

On page 2 of the Office Action, claims 1, 2, 4-8 and 13-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takeda (US 2001/0009312) in view of Shimizu et al. (US 2002/0102369).

The Examiner's Position

The Examiner's position is basically that Takeda teaches all the elements of present claim 1 except for the claimed film thickness and the specific claimed weight percentage of solvent (i.e. 5-30%) resulting from a quality determination step as claimed. However, the Examiner indicates that Shimizu et al. teach a method of producing a cellulose triacetate film within a thickness range of 30 to 150 um, preferably 35 to 85 um (paragraph [0069], and exemplify a thickness of 40 um (paragraph [0205]), and Shimizu et al. further disclose the level of residual solvent in the film during peeling can be in the range of 5 to 150%, preferably in the range of 10 to 120% (paragraph [0180]), and exemplify a residual solvent level of 25% during peeling (paragraph [0205]). Furthermore, the Examiner indicates that Shimizu et al. disclose that the remaining amount of solvent at peel is a result effective variable that impacts wrinkles, flatness, the ability to peel the film, film forming speed, and other variables, and that the amount of solvent remaining during peel is determined so that productivity and quality are balanced (paragraphs [0179-0180]). Therefore, the Examiner considers that it would have been obvious to have employed the solvent levels and film thicknesses disclosed by Shimizu et al. to practice the method disclosed by Takeda for the purpose of producing a high-quality wrinkle free film having a wide range of commercial applications.

Applicants' Response

In response, Applicant submits initially that none of the cited references discloses "determining as a criterion measure a weight percentage of a remaining solvent in a gel-like film used to produce a final product film when a peeling force for peeling said gel-like film from a substrate is at the maximum" as recited in claim 1.

Further, Applicant notes that Takeda specifically teaches that in its invention, the peeling ability of the web is considerably improved when the remaining content of the solvent in the web is within the range of from 70-120% (see paragraph [0072]).

Since Shimizu et al in paragraph [0180] disclose a broad range (5-150%) and a preferred range (10-120%) which completely overlap Takeda's 70-120% range, one of ordinary skill in the art would have been motivated to use Takeda's 70-120% range to obtain the considerably improved peeling ability taught by Takeda while also obtaining the benefits of Shimizu et al.

The fact that Shimizu et al exemplify a residual solvent level of 25% during peeling does not mean that one skilled in the art would have been motivated to use such an amount in Takeda, since that skilled artisan would have considered that such an amount would not provide considerably improved peeling ability in Takeda.

Also, the fact that Takeda discloses a remaining solvent content of not more than 40% in its Background section does not mean that one skilled in the art would have been motivated to use such an amount with the other parameters disclosed in Takeda, including the parameters cited by the Examiner, because that skilled artisan would have considered that the remaining solvent amount disclosed in connection with the other parameters in Takeda (i.e., 70-120%) is

the remaining solvent amount that should be used with those other parameters, and that a remaining solvent not disclosed in connection with the other parameters in Takeda (i.e., not more than 40%) is a remaining solvent amount that would not be used with those other parameters.

Indeed, Applicant submits that since Takeda specifically teaches that the peeling ability of the web in its invention is considerably improved when the remaining content of the solvent in the web is within the range of from 70-120%, it implicitly teaches that the peeling ability of the web is considerably diminished when the remaining content of the solvent in the web is outside the range of from 70-120%, and thus teaches away from the present invention.

Accordingly, Applicant submits that the present invention is not obvious over Takeda in view of Shimizu et al, and thus withdrawal of this rejection is respectfully requested.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.116
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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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